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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/603,216	06/26/2003	Konstantin Zuev	ABBYY-U09	4306

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CYPRUS

EXAMINER
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CARTER, AARON W

ART UNIT	PAPER NUMBER
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2624

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11/15/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/603,216

**Applicant(s)**

ZUEV ET AL.

**Examiner**

AARON W. CARTER

**Art Unit**

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 4/28/11 and 10/24/11.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 5) ☒ Claim(s) 1-11 and 13 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 1-11 and 13 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☒ The drawing(s) filed on 28 April 2011 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CIB) Paper No(s)/Mail Date \_\_\_\_

- 4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_

### **DETAILED ACTION**

1. This action is responsive to papers filed on 4/28/11 and 10/24/11.

#### ***Response to Amendment***

2. In response to applicant's claim amendments received on 10/24/11, all requested changes to the claims have been entered. Claim 13 has been added. Claim 12 has been cancelled. Currently claims 1-11 and 13 are pending.

#### ***Drawings***

3. The drawings were received on 4/28/11. These drawings are accepted.

#### ***Information Disclosure Statement***

4. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

#### ***Claim Rejections - 35 USC § 112 (1<sup>st</sup>)***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-11 and 13 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

6. Claim 1 discloses the limitation "preliminarily assigning at least one object of the form as a reference point for spatial binding of at least one **non-fixed** data input field thereof", in lines 7-8. It is the Examiner assumption that "the form" being referred to in this limitation is the form model and not the machine-readable form of which a bit-mapped image is acquired, however that is indefinite and addressed below. The specification, filed on 6/23/03, discusses the form model and data input fields thereof on page 5, but the data input fields of the form model do not appear to be described as being "non-fixed". The phrase "non-fixed" is again used in reference to the data input field of the form model again in line 15. Again this is not specifically described in the specification. Explanation of how or where this limitation is described in the specification is required.

7. Claim 1 discloses the limitation "identifying each data input field position in the case of multiple data input fields", in lines 25-26. It is the Examiner's understanding that the

specification, filed on 6/23/03, appears to be discussing, on pages 5-7, the parsing of an input image, of a filled in form, into regions including data input fields, connected regions, lines and other objects. Then, a data input field's location/position is determined relative to reference points, assigned in the form model, and thereby identified. Further the specification appears to be stating on pages 6 and 7 that in the case of multiple similar data input fields, similar to the data input field region of the image, being detected in the form model the correct location/position identification of the data input field region of the image is performed via a hypotheses and compliance estimation of the form model. Therefore it is unclear where in the specification identifying multiple data input fields is specifically described as a step in the steps for defining a spatial location of a non-fixed data input field in the image of a filled-in form. Explanation of how or where this limitation is described in the specification is required.

8. Claims 2 and 3 are rejected by the virtue of their dependency upon claim 1.
9. Claim 4 is further rejected under 112(1<sup>st</sup>). Again see the rejection of claim 1 in paragraph 6 above. It is unclear wherein in the specification it specifically discloses identifying multiple data input fields via setting up and accepting of hypotheses and compliance estimation of the form model. Explanation of how or where this limitation is described in the specification is required.
10. Claim 5 is rejected by the virtue of its dependency upon claims 1 and/or 4 rejected above.

11. Claim 6 is further rejected under 112(1<sup>st</sup>). The rejection of claim 1 provided in paragraph 5 above again applies for claim 6. Explanation of how or where this limitation is described in the specification is required.

12. Claim 7 is further rejected under 112(1<sup>st</sup>). Again see the rejection of claim 1 in paragraph 6 above. It is unclear wherein in the specification it specifically discloses identifying multiple data input fields is performed at least partly manually. Explanation of how or where this limitation is described in the specification is required.

13. Claim 8 is further rejected under 112(1<sup>st</sup>). The use of the limitation "from a first scan of the machine-readable form to a second scan of the machine-readable form" is not described in the specification. Explanation of how or where this limitation is described in the specification is required.

14. Claims 9-11 are rejected by the virtue of their dependency upon claim 1.

15. Claim 13 is further rejected under 112(1<sup>st</sup>). Again see the rejection of claim 1 in paragraph 6 above. It is unclear wherein in the specification it specifically discloses identifying multiple data input fields in the case of multiple data input fields is a profound identification. Explanation of how or where this limitation is described in the specification is required.

***Claim Rejections - 35 USC § 112 (2<sup>nd</sup>)***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

16. Claims 1-11 and 13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
17. Claim 1 recites the limitation "the form" in line 7. Two forms are previously discussed in the claim and it is therefore indefinite. It is unclear whether the limitation is referring to the form model or filled in machine-readable form of which an image is acquired.
18. Claim 1 recites the limitation "non-fixed data input field" in line 12. Line 12 states "defining a spatial location of at least one non-fixed data input field...". Previous limitations in the claim disclose that both the image of the filled in form and the form model contain "non-fixed data input fields" and it is therefore indefinite which this limitation is referring to.
19. Claim 1 recites the limitation "each data input field" in line 24 and "multiple data input fields" in line 25. Previous limitations in the claim disclose that both the image of the filled in form and the form model contain "non-fixed data input fields" and it is therefore indefinite which these limitations are referring to.

20. Claim 6 recites the limitation "non-fixed data input field" in lines 1 and 2. Previous limitations in the parent claim discloses that both the image of the filled in form and the form model contain "non-fixed data input fields" and it is therefore indefinite which this limitation is referring to.

21. Claims 2-5, 7-11 and 13 are rejected by the virtue of their dependency upon claim 1 rejected above.

### *Conclusion*

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AARON W. CARTER whose telephone number is (571)272-7445. The examiner can normally be reached on Flex (Mon. - Fri.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on (571) 272-7453. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/AARON W CARTER/  
Primary Examiner, Art Unit 2624